

Serial No. : 10/711,086
Applicant : Joe D. Dunlap, Jr.
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REMARKS

The amendments and remarks presented herein are believed to be fully responsive to the recent Office Action. Reconsideration is requested.

Drawings.

The drawings were objected to as failing to comply with 37 C.F.R. 1.84(p)(5) because they do not include reference signs 24, 30' mentioned in the description. Enclosed herewith are corrected drawing sheets that are marked "replacement sheet". The reference numeral 24 has been added to Fig. 2. The reference numeral 30' has been added to Fig. 4. No annotated sheet is required. Acceptance of the changes is respectfully requested.

Disposition of the Claims.

Claims 1-14 were pending in the application. By this response, claims 1 and 2 are cancelled and new claims 15-18 added. Accordingly, claims 3-18 are pending in the application.

Claim Rejections – 35 U.S.C. § 102 and § 103.

Claims 1-4, 6 and 8 were rejected under 35 U.S.C. § 102(b) as being anticipated by United States Patent 6,232,870 issued to Garber et al. ("Garber"). Claims 9 and 10 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Garber in view of United States Patent 6,166,638 issued to Brady et al. ("Brady"). Without acquiescing in the basis for the rejection, Applicant hereby cancels claims 1 and 2 and amends the dependency of claims 3, 4, 6 and 8-10 to be dependent upon a base claim that is indicated as being allowable as discussed below. Accordingly, withdrawal of the rejections is requested.

Allowable Subject Matter.

Claims 5, 7 and 11-14 were objected to as being dependent upon a rejected base claim, but are indicated as being allowable if rewritten in independent form including the limitations of the base claim and any intervening claims. By this response, claims 5, 7, 11 and 14 are rewritten in this manner. With respect to claim 7, it is observed that the term

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"monorail system" is amended to be replaced with "rail system". It is submitted that claim 7 remains allowable in view of the absence of any disclosure of a rail system in combination with the remaining claimed subject matter in any of the prior art including the references cited in the Office Action. The remaining claims are dependent upon either claim 5, 7 or 11 as a base claim. Accordingly, all of the claims should be in a condition for allowance. A notice to that effect is earnestly solicited.

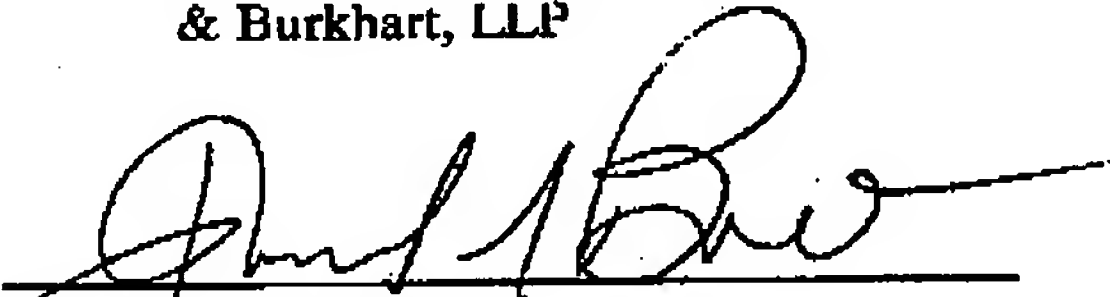
The amendments presented herein are fully supported by the application as filed. Accordingly, no new matter is added. If Examiner Tweel has any questions or reservations, it is requested that Examiner Tweel call the undersigned attorney.

Respectfully submitted,

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By: Van Dyke, Gardner, Linn
& Burkhart, LLP

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